

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, *et al.*,

*Plaintiffs,*

v.

U.S DEPARTMENT OF JUSTICE, *et al.*

*Defendants.*

**DECLARATION OF ANDREW GRADISON,  
ADMINISTRATION FOR CHILDREN & FAMILIES,  
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES**

I, Andrew Gradison, make the following declaration under 28 U.S.C. § 1746:

1. I am the Acting Assistant Secretary at the Administration for Children & Families (ACF), a component of the U.S. Department of Health and Human Services (HHS).
2. In this role, I oversee all aspects of ACF. Through this work, I am familiar with ACF's Head Start Program, Community Services Block Grant, the Title IV-E Educational and Training Voucher Program, Prevention Services Program, and Kinship Guardianship Assistance Program, some of the programs identified under the HHS Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) Notice, issued on July 14, 2025 (2025 PRWORA Notice). 90 Fed. Reg. 31232. I am also familiar with the Low-Income Home Energy Assistance Program (LIHEAP) and Social Services Block Grant (SSBG), as well as Foster Care under Titles IV-B and IV-E of the Social Security Act which were included in the HHS PRWORA Notice issued on August 4, 1998 (1998 PRWORA Notice). 63 Fed. Reg. 41658.

3. I submit this declaration in support of the Defendants' Opposition to Plaintiffs' Motion for Preliminary Injunction in the above-captioned matter. Specifically, I submit this declaration in order to describe (i) the Federal public benefit provided by the programs identified above; (ii) the compliance practices for programs who were listed as Federal Public benefits in the 1998 PRWORA Notice; (iii) the general purpose of HHS's 2025 PRWORA Notice; and (iv) ACF's plans with respect to the issuance of program-specific guidance implementing the 2025 PRWORA Notice.

4. This declaration is based on my personal knowledge, information acquired in the course of performing my official duties, information conveyed to me by current agency employees, and information contained in agency records to which I have access in the normal course of my duties.

5. For ACF programs listed in the 1998 PRWORA Notice, there is already a process for compliance monitoring and enforcement. For example, in the ACF block grants to states, such as LIHEAP and SSBG, ACF conducts monitoring for compliance with Federal law. If funds are misspent, such as on ineligible individuals, ACF takes a disallowance. Such a disallowance can be appealed to the Departmental Appeals Board. As circumstances warrant, ACF must work with the states on a corrective action plan. For the foster care funding under IV-B and IV-E of the Social Security Act, if there is evidence of potential noncompliance with the IV-E requirement that the agency have in effect "procedures" for verifying the citizenship or immigrant status of any children receiving IV-B or IV-E foster care benefits, ACF first conducts a partial review process. If ACF determines there is non-compliance, the state has to enter a program improvement plan. If a state remains noncompliant, then ACF will take a penalty related to the extent of the non-compliance.

6. In terms of Federal public benefits, ACF's Office of Head Start administers grant funding and oversight to about 1,600 public and private nonprofit and for-profit agencies that offer Head Start services in local communities. The Head Start Program provides early childhood education to young children as well as comprehensive services to their families to promote the school readiness of low-income children. More specifically, the Head Start Program provides health, education, nutritional and other services to children and their families who meet certain eligibility criteria. 42 U.S.C. §§ 9831, 9840.

7. The Community Services Block Grant (CSBG) is a federal block grant administered by the ACF Office of Community Services (OCS) and distributed to states, territories, and tribes to administer to support services that alleviate the causes and conditions of poverty in under resourced communities. States pass at least 90% of funds to local eligible entities – primarily Community Action Agencies (CAAs) – which deliver services to low-income individuals and families. CSBG funded services and activities include housing, nutrition, utility and transportation assistance; employment, education and other income and asset building services; crisis and emergency services; and community asset building initiatives, among other things.

8. Three ACF Title IV-E programs administered by the Children's Bureau are included in the 2025 PRWORA Notice.

9. The Title IV-E Prevention Services Program funding is authorized under the Family First Prevention Services Act (FFPSA) for time-limited (one year) prevention services for mental health/substance abuse and in-home parent skill-based programs for children at imminent risk of entering foster care and their parents/kin caregivers and pregnant/parenting youth.

10. The Title IV-E Guardianship Assistance Program (GAP) is an entitlement that helps States and Tribes, who opt to provide guardianship assistance payments for the care of children by relatives who have assumed legal guardianship of eligible children for whom they previously cared as foster parents. In general, beneficiaries are children who have been eligible for Title IV-E Foster Care maintenance payments during at least a six consecutive month period during which the child resided in the home of the prospective guardian.

11. Finally, the Education and Training Vouchers Program (ETV) also is included in HHS's 1998 PRWORA Notice. The John H. Chafee Foster Care Program for Successful Transition to Adulthood (the Chafee program) provides funding to support youth/young adults in or formerly in foster care in their transition to adulthood. The program is funded at \$143 million a year. The program is funded through formula grants awarded to child welfare agencies in States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, and Tribes.

12. The Chafee program has an additional appropriation of approximately \$43 million annually for Educational and Training Vouchers (ETV) Program. This program provides financial resources to meet the post-secondary education and training needs of young adults who have experienced foster care after age 14 and provides formula grants to States and participating tribes to help young people pay for post-secondary educational training.

13. To the best of my knowledge, the purpose of the 2025 PRWORA Notice was to provide notice and clarity regarding HHS's interpretation and application of PRWORA, to identify HHS programs that provide "Federal public benefits within the scope of PRWORA," to seek public comment, and to forecast potential forthcoming program-specific guidance implementing the 2025 PRWORA Notice, as needed.

14. Presently, ACF is both deliberating about and preparing to issue program-specific guidance for the programs administered by ACF is necessary in light of the 2025 PRWORA Notice.

Executed this 11th day of August 2025, in Washington, D.C.

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Andrew Gradison